

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

Docket No.: 4002-2512/DNK-99:83:PA

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled in **DEVICES AND TECHNIQUES FOR A POSTERIOR LATERAL DISC SPACE APPROACH**, the specification of which

(check one) is attached hereto.
 was filed on Oct. 23, 2000 as Application Serial No. 09/694,521
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number) (Country) (Day/Month/Year Filed) Yes No

I hereby claim the benefit under 35. U.S.C. 119(e) of any United States provisional application(s) listed below:

Application Number 60/160,667 **Filing Date** October 21, 1999

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this

application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status - patent/pending/abandoned)
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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Harold R. Woodard, No. 16,214; C. David Emhardt, No. 18, 483; Joseph A. Naughton, Jr., No. 19, 814; John V. Moriarty, No. 26,207; John C. McNett, No. 25,533; Thomas Q. Henry, No. 28,309; James M. Durlacher, No. 28,840; Charles R. Reeves, No. 28,750; Vincent O. Wagner, No. 29,596; Steve Zlatos, No. 30,123; Spiro Bereveskos, No. 30,821; William F. Bahret, No. 31,087; Clifford W. Browning, No. 32,201; R. Randall Frisk, No. 32,221; Daniel J. Lueders, No. 32,581; Kenneth A. Gandy, No. 33,386; Timothy N. Thomas, No. 35,714; Kerry P. Sisselman, No. 37,237; Kurt N. Jones, 37,996; John H. Allie, No. 39,088; Holiday W. Banta, No. 40,311; Troy J. Cole, No. 35,102; L. Scott Paynter, No. 39,797; J. Andrew Lowes, No. 40,706; Matthew R. Schantz, No. 40,800; Gregory B. Coy, No. 40,967; Lisa A. Hiday, No. 40,036; John V. Daniluck, No. 40,581; Christopher A. Brown, 41,642; Charles J. Meyer, 41,996; Arthur J. Usher, IV, 41,359; Scott J. Stevens, 29,446; James B. Meyers, 42,021; C. John Brannon, 44,557; Jason J. Schwartz, 43,910; Douglas A. Collier, 43,556; R. Craig Tucker, 45,165; C. Amy Smith, No. 42,931, and Brad A. Shepers, No. 45,431.

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Indianapolis, Indiana 46204-5137

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: George Frey

Inventor's

Signature:

Date of Signature:

Residence: 2 Sunrise Dr., Englewood, Colorado 80110

Citizenship: U.S.A.

Post Office Address: 2 Sunrise Dr., Englewood, Colorado 80110

Full name of second inventor: Mingyan Liu

Inventor's

Signature:

Date of Signature: 10/11/00

Residence: 41, rue de la Fontaine Grelot, 92340 Bourg-la-Reine FRANCE

Citizenship: France

Post Office Address: 41, rue de la Fontaine Grelot, 92340 Bourg-la-Reine FRANCE

Full name of third inventor: Loic Josse

Inventor's

Signature:

Date of Signature: 10/11/00

Residence: 13, La Plana, 11570 Palaja, FRANCE

Citizenship: France

Post Office Address: 13, La Plana, 11570 Palaja, FRANCE

Full name of fourth inventor: Lawrence M. Boyd

Inventor's

Signature:

Date of Signature: 10/15/00

Residence: 25 Birnham Lane, Durham, NC 27707

Citizenship: U.S.A.

Post Office Address: 25 Birnham Lane, Durham, NC 27707

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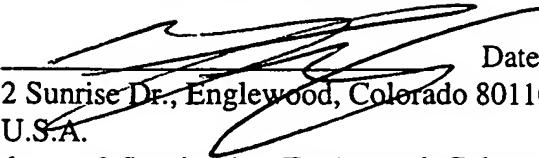
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Full name of first inventor: George Frey

Inventor's

Signature: 

Date of Signature: Jan. 9, 2001

Residence: 2 Sunrise Dr., Englewood, Colorado 80110

Citizenship: U.S.A.

Post Office Address: 2 Sunrise Dr., Englewood, Colorado 80110

Full name of second inventor: Mingyan Liu

Inventor's

Signature: 

Date of Signature: _____

Residence: 41, rue de la Fontaine Grelot, 92340 Bourg-la-Reine FRANCE

Citizenship: France

Post Office Address: 41, rue de la Fontaine Grelot, 92340 Bourg-la-Reine FRANCE

Full name of third inventor: Loic Josse

Inventor's

Signature: 

Date of Signature: _____

Residence: 13, La Plana, 11570 Palaja, FRANCE

Citizenship: France

Post Office Address: 13, La Plana, 11570 Palaja, FRANCE

Full name of fourth inventor: Lawrence M. Boyd

Inventor's

Signature: 

Date of Signature: _____

Residence: 25 Birnham Lane, Durham, NC 27707

Citizenship: U.S.A.

Post Office Address: 25 Birnham Lane, Durham, NC 27707